

BEFORE THE DENTAL BOARD OF THE STATE OF IOWA

IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST

TODD A. BECKER, D.D.S., RESPONDENT

NEW HAMPTON, IOWA

#18-0135

STATEMENT OF CHARGES, SETTLEMENT AGREEMENT and FINAL ORDER

(Combined)

COME NOW the Iowa Dental Board (Board), and Todd Becker, D.D.S. (Respondent), and pursuant to Iowa Code sections 17A.10 and 272C.3(4), enter into the following combined Statement of Charges, Settlement Agreement and Final Order (Order).

A. LEGAL AUTHORITY AND JURISDICTION

1. Respondent was issued dental license 06553 in the state of Iowa on July 1, 1980.
2. Respondent's dental license is current and will expire on August 31, 2020.
3. The Board has jurisdiction in this matter pursuant to Iowa Code chapters 147, 153, and 272C (2018).

B. STATEMENT OF CHARGES

SECTIONS OF STATUTES AND RULES INVOLVED

COUNT I

4. Respondent is charged pursuant to Iowa Code section 153.34(4) and 650 IAC 30.4(35) with failing to comply with the standard precautions for preventing and controlling infectious disease and managing personnel health and safety concerns related to infection control, as required or recommended for dentistry by the Centers for Disease Control and Prevention of the United States Department of Health and Human Services.

STATEMENT OF MATTERS ASSERTED

5. Iowa law requires dental offices to comply with all requirements and recommendations contained within the Guidelines for Infection Control in Dental Health-Care Settings published by the Centers for Disease Control and Prevention.
6. On August 29, 2018, a Board investigator performed an infection control inspection at Respondent's practice location and noted the following deficiencies: failure to wear gloves while chairside; failure to change masks after each patient; failure to use EPA-approved cleaning products for clinical surface cleaning; failure to monitor sterilizers weekly by using a biological indicator with a matching control; and failure to have a medical waste management program.

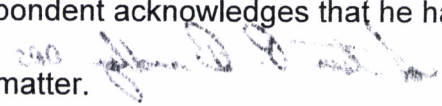
C. SETTLEMENT AGREEMENT AND FINAL ORDER


THEREFORE IT IS HEREBY ORDERED:

7. Respondent's license to practice dentistry in the state of Iowa shall immediately be placed on probation for a period of two (2) years from the date of this Order subject to the following terms:
 - a. Within thirty (30) days of this Order, Respondent shall submit the name and credentials of a proposed infection control monitor to the Board for approval. To receive approval, the proposed infection control monitor must be a licensee or registrant of the Board, be objective, have sufficient expertise in the area of infection control, and have the ability to perform inspections as required by this Order.
 - b. Once approved, the infection control monitor shall conduct an infection control inspection at Respondent's office on a monthly basis. The goal of each inspection is to ensure appropriate protocols for the prevention of infectious diseases are being met. Each inspection shall utilize Board-approved inspection forms.
 - c. Respondent shall ensure the infection control monitor submits a monthly report to the Board following each inspection for the first twelve (12) inspections, and quarterly report thereafter. The infection control monitor shall immediately report to the Board any deficiencies in the infection control protocols, if any.

- d. The infection control monitor shall make recommendations for changes in protocols if necessary. Respondent shall comply with any recommendation made by any infection control monitor regarding infection control protocols.
 - e. Respondent shall be solely responsible for the costs associated with infection control monitoring. Respondent shall promptly reimburse the infection control monitor the usual and customary fee for the service.
 - f. The Board may, in its discretion, decrease the frequency of the required inspections based on satisfactory performance by Respondent.
- 8. Within ninety (90) days of the date of this Order, Respondent shall successfully complete a Board-approved course in the area of infection control, that shall not be counted towards continuing education hours. The course must be comprehensive and taken in-person. It must be prior approved by the Board and proof of attendance must be submitted.
 - 9. Within ninety (90) days of the date of this Order, Respondent shall submit a civil penalty in the amount of two thousand five hundred dollars (\$2,500.00) to the Board made payable to Treasurer, State of Iowa.
 - 10. This Order constitutes the resolution of a contested case proceeding.
 - 11. By entering into this Order, Respondent voluntarily waives any rights to a contested case hearing and waives any objections to the terms of this Order.
 - 12. Respondent understands that by entering into this Order, he cannot obtain a copy of the investigative file. Under Iowa Code section 272C.6(4), a copy of the

investigative file may only be provided to a licensee after a Statement of Charges is filed but before the final resolution of those charges.

13. This Order is voluntarily submitted by Respondent to the Board for consideration.
14. Respondent acknowledges that he has the right to be represented by counsel in this matter. 
15. This Order becomes public record available for inspection and copying upon execution by the Board, in accordance with the requirements of Iowa Code chapters 22 and 272C.
16. Respondent understands that the Board is required by federal law to report this Order to the National Practitioner Data Bank.
17. Respondent acknowledges that no member of the Board, nor any employee, nor attorney for the Board, has coerced, intimidated, or pressured him, in any way whatsoever, to execute this Order.
18. This Order is subject to approval of the Board. If the Board fails to approve this Order, it shall be of no force or effect to either party.
19. The Board's approval of this Order shall constitute a **Final Order** of the Board.


Todd Becker, D.D.S.
Respondent

11.04.18

This combined Statement of Charges, Settlement Agreement and Final Order is
approved by the Board on November 16th, 2018.

Steven P. Bradley 005

STEVEN P. BRADLEY, D.D.S.
Chairperson, Iowa Dental Board